



## The Corporation of the Town of Tecumseh

### Policy Manual

<b>Policy Number:</b>	<b>131. b</b>
<b>Effective Date:</b>	Click here to enter a date.
<b>Supersedes:</b>	N/A
<b>Approval:</b>	Click or tap here to enter text.
<b>Subject:</b>	<b>Draft Policy - AMPS Public Complaints</b>

#### 1. Purpose

- 1.1 To provide a standardize, accessible and efficient mechanism for filling and processing of complaints made by the public with respect to the administration of the Administrative Monetary Penalty System.
- 1.2 In accordance with Ontario Regulation 333/07 under the *Municipal Act, 2001* a municipality is required to establish a policy to address public complaints in the administration of the Administrative Monetary Penalty System (AMPS).

#### 2. Policy Statement

The Town of Tecumseh is committed to ensuring any public complaint regarding the administration of the AMPS is addressed in a timely and responsible manner and ensures continued accountability and transparency in the operations and administration of the municipality.

#### 3. Scope

- 3.1 This policy applies to public complaints regarding all aspects of the AMPS, including administrative action and functions of members of Council, Town employees, Screening Officers, Hearing Officers, and other individuals responsible for the administration of the AMPS.

- 3.2 All individuals responsible for administering the AMPS shall be responsible for maintaining adherence to this policy.
- 3.3 The Director Legislative Services & Clerk or designate(s) shall be responsible for addressing all public complaints regarding the administration of the AMPS.
- 3.4 Screening Officers and Hearing Officers are not authorized to consider questions relating to the administration of the AMPS, and such complaints will not be processed.
- 3.5 The Town's Public Complaints Policy No. 98 may be used as a reference in addressing any public complaint filed under this policy in regard to the administrative actions of a Town employee, Screening or Hearing Officer, or other individuals responsible for the administration of the AMPS.
- 3.6 This policy is not intended to reverse or alter any AMPS decision(s) of the Screening Officer or Hearing Officer.

## 4. Policy

### 4.1 Public Complaint Process

- 4.1.1 **Formal Complaint:** A public complaint received under this Policy shall be processed using the following procedure:
  - a) Any public complaint shall be made in writing to the Director Legislative Services & Clerk or designate within thirty (30) calendar days of the date of the event for which the complaint is being made.
  - b) All public complaints shall include the name and full contact information of the complainant.
  - c) Anonymous complaints shall not be accepted.
  - d) Any complaint regarding a member of Council with respect to the AMPS shall be referred to the Director and if appropriate be sent to the Integrity Commissioner's office in accordance with or having regard to the Code of Conduct for Members of Council.
  - e) All complaints shall be treated as confidential respecting personal information and privacy in accordance with the

Municipal Freedom of Information and Protection of Privacy Act.

- f) The Director Legislative Services & Clerk or designate acting reasonably shall not address any complaint deemed to be frivolous, vexatious, trivial, or made in bad faith.
- g) A complainant may withdraw his/her complaint at any time with written notice to the Director Legislative Services & Clerk or designate.
- h) Any resolution of a public complaint will be addressed in writing to the complainant via email correspondence within thirty (30) days of receipt of such complaint or such further reasonable extension of time as determined by the Director Legislative Services & Clerk or designate.
- i) A public complaint arising from a review of the Screening Officer or Hearing Officer cannot be used to change or void their decision, including any administrative penalties or fees, due or paid.
- j) Written correspondence will be filed and destroyed as per the Corporation's Records Retention By-law 2018-39 as amended or any successor thereof.

## **5. Responsibilities**

The Director Legislative Services & Clerk is responsible for this Policy.

## **6. Policy Review**

This Policy will be periodically reviewed and updated as required.

## **7. References and Related Documents**

Municipal Act, 2001  
Municipal Freedom of Information and Protection of Privacy Act  
Ontario Regulation 333/07 (Administrative Penalties)  
By-law Establishing System of Administrative Penalties  
By-law for Appointment of Screening & Hearing Officers  
Code of Conduct for Members of Council  
Public Complaints Policy 98